

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTINA B. SHUKRY,

Petitioner,

vs.

WALTER MILLER, Warden,

Respondent.

No. C 10-4388 JSW (PR)

ORDER OF TRANSFER

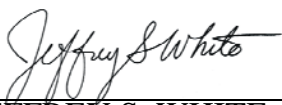
(Docket No. 2)

Petitioner, a prisoner of the State of California, has filed a petition for a writ of habeas corpus in this Court challenging the constitutionality of his state conviction from Sacramento County. Petitioner has also filed an application to proceed *in forma pauperis* (docket no. 2).

Venue is proper in a habeas action in either the district of conviction or the district of confinement, *see id* § 2241(d). Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Therefore, the Court ORDERS that pursuant to 28 USC § 1404(a) and Habeas LR 2254-3(b), and in the interest of justice, the Clerk of the Court shall TRANSFER this matter to the United States District Court for the Eastern District of California forthwith. In light of the transfer, this Court will not resolve Petitioner's pending motion (docket no. 2).

IT IS SO ORDERED.

DATED: October 5, 2010


JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINA B SHUKRY,
Plaintiff,

Case Number: CV10-04388 JSW

CERTIFICATE OF SERVICE

v.

WALTER MILLER et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 5, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Christina B. Shukry
#X23294
P.O. Box 96
Chowchilla, CA 93610

Dated: October 5, 2010



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk